

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2010 MAR 16 AM 11:21

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY                       
DEPUTY

MIDDLESEX INSURANCE COMPANY, §

§  
§

V. §

CIVIL ACTION NO.: 08-CA-305SS

§  
§

PBC OPERATIONS, L.P., d/b/a §  
PIONEER BREAKER & CONTROL §  
SUPPLY CO., PIONEER BREAKER & §  
CONTROL SUPPLY CO., §  
INDIVIDUALLY, TAMAS TOLDY, §  
CHRISTINA TOLDY DUNCAN, §  
SQUARE D COMPANY, BREAKERS §  
UNLIMITED, INC. AND PBC SUPPLY, §  
LP §

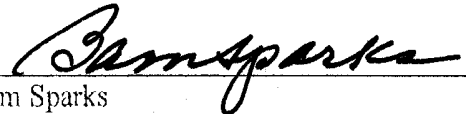
ORDER

On this day Plaintiff Middlesex Insurance Company announced to the Court that it no longer wishes to prosecute its claims against Defendants PBC Operations, L.P., d/b/a Pioneer Breaker & Control Supply Co., Pioneer Breaker & Control Supply Co., Individually, Tamas Toldy, Christina Toldy Duncan and PBC Supply, LP, Square D Company and Breakers Unlimited, Inc. based upon the settlement of the Underlying Actions, and has requested the entry of this Order of Dismissal with prejudice. It is therefore,

ORDERED that all claims and causes of action brought or capable of being brought by the Plaintiff, Middlesex Insurance Company, in this action against Defendants PBC Operations, L.P., d/b/a Pioneer Breaker & Control Supply Co., Pioneer Breaker & Control Supply Co., Individually, Tamas Toldy, Christina Toldy Duncan and PBC Supply, LP, Square D Company and Breakers Unlimited, Inc. are hereby dismissed with prejudice. It is further

ORDERED that all costs of Court shall be borne by the party incurring same. All relief not expressly granted is hereby denied.

Signed this 15<sup>th</sup> day of MARCH, 2010

A handwritten signature in cursive script, reading "Sam Sparks", written over a horizontal line.

Sam Sparks  
United States District Judge  
Western District of Texas